



Rep. Charles E. Jefferson

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1 AMENDMENT TO SENATE BILL 450

2 AMENDMENT NO. _____. Amend Senate Bill 450 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Police Act is amended by adding
5 Section 30 as follows:

6 (20 ILCS 2610/30 new)

7 Sec. 30. Patrol vehicles with in-car video recording
8 cameras.

9 (a) Definitions. As used in this Section:

10 "Audio recording" means the recorded conversation
11 between an officer and a second party.

12 "Emergency lights" means oscillating, rotating, or
13 flashing lights on patrol vehicles.

14 "In-car video camera" means a video camera located in a
15 Department patrol vehicle.

16 "In-car video camera recording equipment" means a

1 video camera recording system located in a Department
2 patrol vehicle consisting of a camera assembly, recording
3 mechanism, and an in-car video recording medium.

4 "Enforcement stop" means an action by an officer of the
5 Department in relation to enforcement and investigation
6 duties, including but not limited to, traffic stops,
7 pedestrian stops, abandoned vehicle contacts, motorist
8 assists, commercial motor vehicle stops, roadside safety
9 checks, requests for identification, or responses to
10 requests for emergency assistance.

11 "Recording" means the process of capturing data or
12 information stored on a recording medium as required under
13 this Section.

14 "Recording medium" means any recording medium
15 authorized by the Department for the retention and playback
16 of recorded audio and video including, but not limited to,
17 VHS, DVD, hard drive, solid state, digital, or flash memory
18 technology.

19 "Wireless microphone" means a devise worn by the
20 officer or any other equipment used to record conversations
21 between the officer and a second party and transmitted to
22 the recording equipment.

23 (b) By June 1, 2009, the Department shall install in-car
24 video camera recording equipment in all patrol vehicles.
25 Subject to appropriation, all patrol vehicles shall be equipped
26 with in-car video camera recording equipment with a recording

1 medium capable of recording for a period of 10 hours or more by
2 June 1, 2011. In-car video camera recording equipment shall be
3 capable of making audio recordings with the assistance of a
4 wireless microphone.

5 (c) As of the effective date of this amendatory Act of the
6 95th General Assembly, in-car video camera recording equipment
7 with a recording medium incapable of recording for a period of
8 10 hours or more shall record activities outside a patrol
9 vehicle whenever (i) an officer assigned a patrol vehicle is
10 conducting an enforcement stop; (ii) patrol vehicle emergency
11 lights are activated or would otherwise be activated if not for
12 the need to conceal the presence of law enforcement; or (iii)
13 an officer reasonably believes recording may assist with
14 prosecution, enhance safety, or for any other lawful purpose.
15 As of the effective date of this amendatory Act of the 95th
16 General Assembly, in-car video camera recording equipment with
17 a recording medium incapable of recording for a period of 10
18 hours or more shall record activities inside the vehicle when
19 transporting an arrestee or when an officer reasonably believes
20 recording may assist with prosecution, enhance safety, or for
21 any other lawful purpose.

22 (1) Recording for an enforcement stop shall begin when
23 the officer determines an enforcement stop is necessary and
24 shall continue until the enforcement action has been
25 completed and the subject of the enforcement stop or the
26 officer has left the scene.

1 (2) Recording shall begin when patrol vehicle
2 emergency lights are activated or when they would otherwise
3 be activated if not for the need to conceal the presence of
4 law enforcement, and shall continue until the reason for
5 the activation ceases to exist, regardless of whether the
6 emergency lights are no longer activated.

7 (3) An officer may begin recording if the officer
8 reasonably believes recording may assist with prosecution,
9 enhance safety, or for any other lawful purpose; and shall
10 continue until the reason for recording ceases to exist.

11 (d) In-car video camera recording equipment with a
12 recording medium capable of recording for a period of 10 hours
13 or more shall record activities whenever a patrol vehicle is
14 assigned to patrol duty.

15 (e) Any enforcement stop resulting from a suspected
16 violation of the Illinois Vehicle Code shall be video and audio
17 recorded. Audio recording shall terminate upon release of the
18 violator and prior to initiating a separate criminal
19 investigation.

20 (f) Recordings made on in-car video camera recording medium
21 shall be retained by the Department for a storage period of at
22 least 90 days. Under no circumstances shall any recording made
23 on in-car video camera recording medium be altered or erased
24 prior to the expiration of the designated storage period. Upon
25 completion of the storage period, the recording medium may be
26 erased and reissued for operational use unless otherwise

1 ordered by the District Commander or his or her designee or by
2 a court, or if designated for evidentiary or training purposes.

3 (g) Audio or video recordings made pursuant to this Section
4 shall be available under the applicable provisions of the
5 Freedom of Information Act. Only recorded portions of the audio
6 recording or video recording medium applicable to the request
7 will be available for inspection or copying.

8 (h) The Department shall ensure proper care and maintenance
9 of in-car video camera recording equipment and recording
10 medium. An officer operating a patrol vehicle must immediately
11 document and notify the District Commander or his or her
12 designee of any technical difficulties, failures, or problems
13 with the in-car video camera recording equipment or recording
14 medium. Upon receiving notice, the District Commander or his or
15 her designee shall make every reasonable effort to correct and
16 repair any of the in-car video camera recording equipment or
17 recording medium and determine if it is in the public interest
18 to permit the use of the patrol vehicle.

19 (i) The Department may promulgate rules to implement this
20 amendatory Act of the 95th General Assembly only to the extent
21 necessary to apply the existing rules or applicable internal
22 directives.

23 Section 10. The Illinois Vehicle Code is amended by
24 changing Sections 3-806 and 3-815 as follows:

1 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)
 2 Sec. 3-806. Registration Fees; Motor Vehicles of the First
 3 Division. Every owner of any other motor vehicle of the first
 4 division, except as provided in Sections 3-804, 3-805, 3-806.3,
 5 and 3-808, and every second division vehicle weighing 8,000
 6 pounds or less, shall pay the Secretary of State an annual
 7 registration fee at the following rates:

8
 9 SCHEDULE OF REGISTRATION FEES

10 REQUIRED BY LAW

11 Beginning with the 1986 registration year

	Annual	Reduced Fee
	Fee	On and After June 15
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		

24 SCHEDULE OF REGISTRATION FEES

25 REQUIRED BY LAW

26 Beginning with the 2001 registration year

1			Reduced Fee
2		Annual	On and After
3		Fee	June 15
4	Motor vehicles of the first		
5	division other than		
6	Motorcycles, Motor Driven		
7	Cycles and Pedalcycles	\$78	\$39
8			Reduced Fee
9			September 16
10			to March 31
11	Motorcycles, Motor Driven		
12	Cycles and Pedalcycles	38	19
13	<u>Beginning with the 2010 registration year a \$1 surcharge</u>		
14	<u>shall be collected in addition to the above fees for motor</u>		
15	<u>vehicles of the first division, motorcycles, motor driven</u>		
16	<u>cycles, and pedalcycles to be deposited into the State Police</u>		
17	<u>Vehicle Fund.</u>		
18	(Source: P.A. 91-37, eff. 7-1-99.)		

19 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

20 Sec. 3-815. Flat weight tax; vehicles of the second

21 division.

22 (a) Except as provided in Section 3-806.3, every owner of a

23 vehicle of the second division registered under Section 3-813,

24 and not registered under the mileage weight tax under Section

25 3-818, shall pay to the Secretary of State, for each

1 registration year, for the use of the public highways, a flat
 2 weight tax at the rates set forth in the following table, the
 3 rates including the \$10 registration fee:

4 SCHEDULE OF FLAT WEIGHT TAX

5 REQUIRED BY LAW

6 Gross Weight in Lbs.		7 Total Fees
8 Including Vehicle		8 each Fiscal
9 and Maximum		9 year
9 Load	10 Class	
10 8,000 lbs. and less	B	\$78
11 8,001 lbs. to 12,000 lbs.	D	138
12 12,001 lbs. to 16,000 lbs.	F	242
13 16,001 lbs. to 26,000 lbs.	H	490
14 26,001 lbs. to 28,000 lbs.	J	630
15 28,001 lbs. to 32,000 lbs.	K	842
16 32,001 lbs. to 36,000 lbs.	L	982
17 36,001 lbs. to 40,000 lbs.	N	1,202
18 40,001 lbs. to 45,000 lbs.	P	1,390
19 45,001 lbs. to 50,000 lbs.	Q	1,538
20 50,001 lbs. to 54,999 lbs.	R	1,698
21 55,000 lbs. to 59,500 lbs.	S	1,830
22 59,501 lbs. to 64,000 lbs.	T	1,970
23 64,001 lbs. to 73,280 lbs.	V	2,294
24 73,281 lbs. to 77,000 lbs.	X	2,622
25 77,001 lbs. to 80,000 lbs.	Z	2,790

26 Beginning with the 2010 registration year a \$1 surcharge

1 shall be collected for vehicles registered in the 8,000 lbs.
 2 and less flat weight plate category above to be deposited into
 3 the State Police Vehicle Fund.

4 (a-1) A Special Hauling Vehicle is a vehicle or combination
 5 of vehicles of the second division registered under Section
 6 3-813 transporting asphalt or concrete in the plastic state or
 7 a vehicle or combination of vehicles that are subject to the
 8 gross weight limitations in subsection (b) of Section 15-111
 9 for which the owner of the vehicle or combination of vehicles
 10 has elected to pay, in addition to the registration fee in
 11 subsection (a), \$125 to the Secretary of State for each
 12 registration year. The Secretary shall designate this class of
 13 vehicle as a Special Hauling Vehicle.

14 (b) Except as provided in Section 3-806.3, every camping
 15 trailer, motor home, mini motor home, travel trailer, truck
 16 camper or van camper used primarily for recreational purposes,
 17 and not used commercially, nor for hire, nor owned by a
 18 commercial business, may be registered for each registration
 19 year upon the filing of a proper application and the payment of
 20 a registration fee and highway use tax, according to the
 21 following table of fees:

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
8,000 lbs and less	\$78

1	8,001 Lbs. to 10,000 Lbs	90
2	10,001 Lbs. and Over	102
3	CAMPING TRAILER OR TRAVEL TRAILER	
4	Gross Weight in Lbs.	Total Fees
5	Including Vehicle and	Each
6	Maximum Load	Calendar Year
7	3,000 Lbs. and Less	\$18
8	3,001 Lbs. to 8,000 Lbs.	30
9	8,001 Lbs. to 10,000 Lbs.	38
10	10,001 Lbs. and Over	50

11 Every house trailer must be registered under Section 3-819.

12 (c) Farm Truck. Any truck used exclusively for the owner's
 13 own agricultural, horticultural or livestock raising
 14 operations and not-for-hire only, or any truck used only in the
 15 transportation for-hire of seasonal, fresh, perishable fruit
 16 or vegetables from farm to the point of first processing, may
 17 be registered by the owner under this paragraph in lieu of
 18 registration under paragraph (a), upon filing of a proper
 19 application and the payment of the \$10 registration fee and the
 20 highway use tax herein specified as follows:

21 SCHEDULE OF FEES AND TAXES

22	Gross Weight in Lbs.		Total Amount for
23	Including Truck and		each
24	Maximum Load	Class	Fiscal Year
25	16,000 lbs. or less	VF	\$150
26	16,001 to 20,000 lbs.	VG	226

1	20,001 to 24,000 lbs.	VH	290
2	24,001 to 28,000 lbs.	VJ	378
3	28,001 to 32,000 lbs.	VK	506
4	32,001 to 36,000 lbs.	VL	610
5	36,001 to 45,000 lbs.	VP	810
6	45,001 to 54,999 lbs.	VR	1,026
7	55,000 to 64,000 lbs.	VT	1,202
8	64,001 to 73,280 lbs.	VV	1,290
9	73,281 to 77,000 lbs.	VX	1,350
10	77,001 to 80,000 lbs.	VZ	1,490

11 In the event the Secretary of State revokes a farm truck
12 registration as authorized by law, the owner shall pay the flat
13 weight tax due hereunder before operating such truck.

14 Any combination of vehicles having 5 axles, with a distance
15 of 42 feet or less between extreme axles, that are subject to
16 the weight limitations in subsection (a) and (b) of Section
17 15-111 for which the owner of the combination of vehicles has
18 elected to pay, in addition to the registration fee in
19 subsection (c), \$125 to the Secretary of State for each
20 registration year shall be designated by the Secretary as a
21 Special Hauling Vehicle.

22 (d) The number of axles necessary to carry the maximum load
23 provided shall be determined from Chapter 15 of this Code.

24 (e) An owner may only apply for and receive 5 farm truck
25 registrations, and only 2 of those 5 vehicles shall exceed
26 59,500 gross weight in pounds per vehicle.

1 (f) Every person convicted of violating this Section by
2 failure to pay the appropriate flat weight tax to the Secretary
3 of State as set forth in the above tables shall be punished as
4 provided for in Section 3-401.

5 (Source: P.A. 91-37, eff. 7-1-99.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".